

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION**

MDL NO. 2724

16-MD-2724

THIS DOCUMENT RELATES TO:

HON. CYNTHIA M. RUFE

Indirect Resellers Class Plaintiffs' Actions

Indirect Resellers Pravastatin Action

16-PV-27243

West Val Pharmacy v. Actavis Holdco U.S., Inc.

17-cv-3822

West Val Pharmacy v. Actavis Holdco U.S., Inc.

18-cv-2533

Reliable Pharmacy v. Actavis Holdco US, Inc.

19-cv-6044

ORDER APPROVING IRPS' APOTEX SETTLEMENT

AND NOW, this 29th day of May 2025, after a hearing held in open court on March 17, 2025, it is hereby **ORDERED** that Indirect Reseller Plaintiffs' ("IRPs") Motions for Final Approval of Class Action Settlement as to Apotex Corp. [MDL Doc. No. 3366], it is hereby **ORDERED** that the Motion is **GRANTED** and the Settlement is **APPROVED** as follows:

1. The following Settlement Class, which the Court previously preliminarily certified [MDL Doc. No. 2959], is certified pursuant to Federal Rule of Civil Procedure solely for purposes of this Settlement;

All dispensers of drugs (including Clinics, Hospitals and Independent Pharmacies) in the United States and its territories that purchased one or more Drugs at Issue from January 1, 2010 through March 5, 2024, including those that purchased directly from distributor AmerisourceBergen Drug Corporation, Cardinal Health, Inc., Red Oak Sourcing, LLC, The Harvard Drug Group, LLC, HD Smith LLC, McKesson Corporation, Morris & Dickson Co., LLC or Walgreens Boot Alliance, Inc. or their subsidiaries; and (b) those that purchased indirectly from any Defendant in the MDL.

This class excludes:

(a) Defendants, their officers, directors, management, employees, subsidiaries, and affiliates;

- (b) entities owned in part by judges or justices involved in this action or any members of their immediate families (other than interests held as a passive investor in a publicly traded entity); and
- (c) all pharmacies owned or operated by publicly traded companies.

2. The Settlement and its terms are finally approved as having been entered into in good faith, and as a fair, reasonable, and adequate settlement as to the Settlement Class Members within the meaning of Rule 23.

3. All Releasors are deemed to have released all Releasees from the Released Claims;

4. As to Apotex, the Actions are dismissed with prejudice and, except as provided for in the Settlement Agreement, without costs.

5. The persons and entities identified in Exhibit A, which is attached hereto and incorporated by reference herein, have timely and validly requested exclusion from the Settlement Class, or have otherwise been permitted to seek exclusion by this Court, and are hereby excluded from the Settlement Class, are not bound by this Final Judgment, and may not make any claim or receive any benefit from the Settlement, whether monetary or otherwise. Said excluded persons and entities may not pursue any claims released under the Settlement Agreement on behalf of those who are bound by this Final Judgment. Each Settlement Class Member not appearing in Exhibit A is bound by this Final Judgment and will remain forever bound.

6. Exclusive jurisdiction over the Settlement and the Settlement Agreement, including the interpretation, administration, and consummation of the Settlement, is reserved to the United States District Court for the Eastern District of Pennsylvania;

7. The Court determines under Rule 54(b) that there is no just reason for delay and directs that the judgment of dismissal in the Actions as to Apotex shall be final; and

8. The Court's certification of the Settlement Classes is without prejudice to, or waiver of, the rights of any Defendant, including Apotex, to contest certification of any other class proposed in the MDL Litigation. The Court's findings in the Order shall have no effect on the Court's ruling on any motion to certify any class in the MDL Litigation or on the Court's rulings concerning any Defendant's motion. No party may cite or refer to the Court's approval of the Settlement Classes as persuasive or binding authority with respect to any motion to certify any such class or any Defendant's motion.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.

EXHIBIT A
EXCLUSIONS FROM IRP-APOTEX SETTLEMENT

- 1 Evan's Drug Inc
- 2 CIBD Pharmacy
- 3 The Family Clinic
- 4 Albany Area Primary Health Care, Inc.
- 5 Allina Health System
- 6 Armstrong County Memorial Hospital, d/b/a ACMH Hospital
- 7 Astera Health, f/k/a Tri-County Health Care
- 8 Augusta Health Care, Inc., d/b/a/ Augusta Health
- 9 Avera Health
- 10 Baptist Health
- 11 Baxter County Hospital, Inc., d/b/a/ Baxter Regional Medical Center
- 12 Baystate Health, Inc.
- 13 Beaufort Jasper Hampton Comprehensive Health Services, Inc.
- 14 Berkshire Health Systems, Inc.
- 15 Billings Clinic
- 16 Broad Top Area Medical Centers, Inc.
- 17 Cape Cod Healthcare, Inc.
- 18 Care New England Health System, d/b/a Care New England
- 19 CaroMont Health, Inc.
- 20 CentraCare Health System
- 21 Central Texas Community Health Centers, d/b/a/ CommUnityCare
- 22 Collier Health Services, Inc., d/b/a Healthcare Network
- 23 Community Health Center of Snohomish
- 24 Confluence Health
- 25 Conway Regional Health System
- 26 Cook County Hospital District, d/b/a North Shore Health
- 27 Cook Hospital
- 28 Crusaders Central Clinic Association
- 29 Dallas County Medical Center
- 30 Delta Memorial Hospital
- 31 Douglas County Hospital, d/b/a Alomere Health
- 32 Drew Memorial Hospital, Inc., d/b/a/ Drew Memorial Health System
- 33 Duval's Pharmacy
- 34 East Boston Neighborhood Health Center Corporation
- 35 Ely-Bloomenson Community Hospital
- 36 Erie Family Health Center, Inc.
- 37 Essentia Health
- 38 Evangelical Community Health
- 39 Fairview Health Services
- 40 Fulton County Medical Center
- 41 Gillette Children's Specialty Healthcare
- 42 Glacial Ridge Health System
- 43 Granby Pharmacy, Inc., d/b/a Center Pharmacy

44 Great Lakes Bay Health Centers
45 Great Salt Plains Health Center, Inc.
46 Greater Lawrence Family Health Center
47 Health Partners of Western Ohio
48 HealthPoint
49 Hennepin Healthcare System, Inc.
50 Independence Health System
51 Intermountain Health Care, Inc.
52 International Community Health Services
53 Jackson-Madison County General Hospital District, d/b/a/ West Tennessee Healthcare
54 Kittson Healthcare
55 Knight Health Holdings LLC, d/b/a ScionHealth
56 Kootenai Hospital District
57 Lake Region Healthcare Corporation
58 Lakewood Health System
59 Lehigh Valley Health Network, Inc.
60 LifeCare Medical Center
61 Lifepoint Corporate Services, General Partnership
62 Lifespan Corporation
63 Logan Health
64 Longview Wellness Center, Inc., d/b/a Wellness Pointe
65 Lutheran Charity Association, d/b/a Jamestown Regional Medical Center
66 Madelia Health
67 Madison Health, f/k/a Madison Memorial Hospital
68 Madison Healthcare Services, d/b/a/ Madison Hospital
69 Main Line Health, Inc.
70 Marana Health Center, Inc.
71 Mary Rutan Hospital, d/b/a Mary Rutan Health
72 Mass General Brigham Incorporated
73 Mayo Clinic
74 MedCura Health, Inc.
75 Meeker Memorial Hospital and Clinics
76 Memorial Hospital of Laramie County, d/b/a Cheyenne Regional Medical Center
77 Memorial Hospital of Sweetwater County
78 Memorial Sloan Kettering Cancer Center
79 Middlesex Health System, Inc., d/b/a Middlesex Health
80 MillCreek Community Hospital
81 Mille Lacs Health System
82 Montefiore Medical Center
83 Mount Nittany Health System
84 Mount Sinai Hospitals Group, Inc.
85 Murray County Medical Center
86 MVMEDSHOP, Inc., d/b/a/ Vineyard Scripts
87 Nationwide Children's Hospital
88 North Big Horn Hospital District
89 North Canyon Medical Center

90 North Memorial Health Care, d/b/a/ North Memorial Health
91 North Olympic Healthcare Network
92 Northern Itasca Hospital District, d/b/a Bigfork Valley
93 Northfield Hospitals + Clinics
94 Novant Health, Inc.
95 Nuvance Health
96 NYU Langone Hospitals
97 Ochsner Clinic Foundation
98 Olmsted Medical Center
99 Ortonville Area Health Services
100 Overlake Hospital Medical Center
101 PeaceHealth
102 Peak Vista Community Health Centers
103 Penn Highlands Healthcare
104 Perham Hospital District, d/b/a/ Perham Health
105 Pikeville Medical Center, Inc.
106 Providence St. Joseph Health
107 Pueblo Community Health Center, Inc.
108 Regional Health Services, d/b/a/ Glencoe Regional Health
109 Ridgeview Medical Center, Inc., d/b/a Ridgeview
110 River's Edge Hospital
111 Riverview Healthcare Association
112 Roanoke Chowan Community Health Center
113 Rutherford County Primary Care Clinics, Inc., d/b/a Primary Care & Hope Clinic
114 RWJBarnabas Health, Inc.
115 Salem Community Hospital, d/b/a/ Salem Regional Medical Center
116 Sanford
117 Select Medical Corporation
118 SGOH Acquisition, Inc., d/b/a/ Ozarks Community Hospital
119 Shasta Community Health Center
120 Shawnee Health Service and Development Corporation
121 Sleepy Eye Medical Center
122 St. Clair Health Corp., d/b/a St. Clair Health
123 St. Luke's Health Network, Inc., d/b/a St. Luke's University Health Network
124 St. Luke's Hospital of Duluth
125 St. Luke's Health System of Idaho
126 St. Thomas Community Health Center
127 Stamford Health, Inc.
128 Stigler Health & Wellness Center, Inc.
129 Syringa Hospital Districts, d/b/a/ Syringa Hospital & Clinics
130 The Chautauqua Center, Inc.
131 The Children's Hospital Corporation, d/b/a Boston Children's Hospital
132 The Children's Hospital of Philadelphia
133 The DCH Health Care Authority, d/b/a/ DCH Health System
134 The Guthrie Clinic
135 The New York and Presbyterian Hospital

- 136 The Regents of the University of Michigan on behalf of University of Michigan Health
- 137 Thomas Jefferson University, d/b/a/ Jefferson Health
- 138 Tri-Area Community Health
- 139 UC Health, LLC, d/b/a UC Health
- 140 UF Health (Shands Teaching Hospital and Clinics, Inc. and Shands Jacksonville Medical Center, Inc.)
- 141 UHS of Delaware, Inc.
- 142 UMass Memorial Care, Inc.
- 143 United Hospital District
- 144 University Health Systems of Eastern Carolina, d/b/a ECU Health
- 145 Upham's Corner Health Committee, Inc., d/b/a Upham's Corner Health Center
- 146 UPMC
- 147 Valley Health System
- 148 Valor Health
- 149 WakeMed, d/b/a WakeMed Health & Hospitals
- 150 Welia Health
- 151 Wellpath LLC
- 152 White River Health System, Inc., d/b/a/ White River Medical Center
- 153 Winona Health Services
- 154 Walgreen Co.
- 155 The Kroger Co.
- 156 Albertsons Companies Inc.
- 157 HEB Grocery Company L.P.
- 158 J M Smith Corporation